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CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY YCN DEPUTY

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UNITED STATES DISTRICT COURT  
IN AND FOR THE SOUTHERN DISTRICT OF CALIFORNIA

THE ESTATE OF GERARDO )  
VALENTINEZ by its personal )  
representative, SKYE VALENTINEZ, an )  
individual and minor, by and through her )  
guardian ad litem, )  
Plaintiffs, )  
v. )  
UNITED STATES OF AMERICA and )  
DOES 1-20, INCLUSIVE, )  
Defendants. )

Case No. 08-CV-0781 BEN WMC

**PETITION AND ORDER FOR  
APPOINTMENT OF ANGELA RUIZ  
AS GUARDIAN AD LITEM FOR  
PLAINTIFF SKYE VALENTINEZ**

1 COMES NOW, SKYE VALENTINEZ, an individual and minor, by and through her  
2 attorney of record, Eugene G. Iredale, and respectfully submits this Petition for Appointment of  
3 Angela Ruiz as Guardian ad litem for Plaintiff SKYE VALENTINEZ

4 Petitioner states as follows:

5 1. I am counsel for SKYE VALENTINEZ in the above captioned action. SKYE  
6 VALENTINEZ is a minor under the age of fourteen (14), to wit, 4 years of age. SKYE  
7 VALENTINEZ's date of birth is June 5, 2003.

8 2. SKYE VALENTINEZ's father, GERARDO VALENTINEZ, died while in custody of  
9 the Homeland Security after he was hog-tied and left on his stomach. This action is filed against  
10 the UNITED STATES and the individual officers that Plaintiffs believe are responsible for  
11 GERARDO VALENTINEZ' death.

12 3. The proposed guardian, Angela Ruiz, as the biological mother and legal guardian, is  
13 not a stranger to the minor, has more than an "ideological interest" in the action and shall be an  
14 appropriate alter ego for the minor SKYE VALENTINEZ' interests in this lawsuit. T.W. v.  
15 Brophy, 124, F.3d 893, 896 (7<sup>th</sup> Cir. 1997); Ford v. Haley, 195 F.3d 603, 624 (11<sup>th</sup> Cir. 1999).

16 4. The proposed guardian, Angela Ruiz, is not a party to this action and therefore can  
17 represent the interests of said minor without consideration to herself as a party to the action.

18 5. Angela Ruiz is ready and willing to act as guardian ad litem for SKYE VALENTINEZ  
19 as appears by her consent to serve set forth below.

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7  
1 WHEREFORE, Petitioner moves the court for an order appointing Angela Ruiz as  
2 guardian ad litem for SKYE VALENTINEZ for the purpose of this action against the defendants  
3 on the claims stated in plaintiff's complaint.  
4

5 DATED: April 29, 2008  
6  
7

8 By: /s/ Eugene G. Iredale  
9 Eugene G. Iredale  
10

11 I, Angela Ruiz, hereby attest to the content of the above petition and hereby consent to  
12 serve as guardian ad litem for SKYE VALENTINEZ  
13

14 DATED: April 29, 2008  
15

Angela Ruiz  
Angela Ruiz  
16  
17

18 Good cause appearing therefor, the petition for appointment of Angela Ruiz as guardian  
19 ad litem for SKYE VALENTINEZ is hereby granted.  
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21  
22  
23 DATED: 6/03/08  
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28

[Signature]  
United States District Judge